



Docket No.: 218162US0X

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313



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RE: Application Serial No.: 10/076,416

Applicants: Mechthild RIEPING, et al.

Filing Date: February 19, 2002

For: PROCESS FOR THE FERMENTATIVE  
PREPARATION OF L-AMINO ACIDS USING  
STRAINS OF THE ENTEROBACTERIACEAE  
FAMILY

Group Art Unit: 1652

Examiner: K.M. KERR

SIR:

Attached hereto for filing are the following papers:

**RESPONSE TO NON-COMPLIANT AMENDMENT**

Our check in the amount of **\$0.00** is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

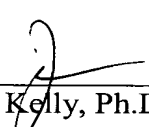
Respectfully submitted,

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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
MECHTHILD RIEPING, ET AL. : EXAMINER: K.M. KERR  
SERIAL NO: 10/076,416 :  
FILED: FEBRUARY 19, 2002 : GROUP ART UNIT: 1652  
FOR: PROCESS FOR THE FERMENTATIVE PREPARATION OF L-AMINO ACIDS  
USING STRAINS OF THE ENTEROBACTERIACEAE FAMILY

RESPONSE TO NON-COMPLIANT AMENDMENT

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

Responsive to the Notice dated April 21, 2005, an Amendment was filed on December 27, 2004. That Amendment was not entered for the reasons set forth in the Advisory Action dated January 13, 2005. On January 26, 2005, Applicants filed an RCE requesting that the Examiner consider the Amendment filed on December 27, 2004. As a courtesy to the Office, Applicants enclosed a copy of the Amendment filed on December 27, 2004.

Accordingly, Applicants have not filed two Amendments. Rather one Amendment was filed on December 27, 2004, a copy of which was enclosed with the filing of the RCE on January 26, 2005. Accordingly, in view of this explanation, Applicants respectfully submit that the Office can now continue examination of this application on the merits. If any

Application No. 10/959,398

Responsive to the Notice dated April 21, 2005

additional information is needed, the Examiner is invited to contact the undersigned by telephone directly at (703) 412-7058.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.  
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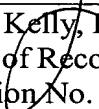
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(OSMMN 06/04)



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